



# City Council Agenda

Council President  
**Chris Mathys**

Council Members

**Garry Bredefeld**  
**Mike Briggs**, Acting President  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquill**  
**Ken Steitz**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cant Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

**The City Council welcomes you to this meeting.**

**TUESDAY, JUNE 9, 1998**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS**

**8:30 A.M. CLOSED SESSION:**

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -**  
Government Code Section 54956.9, Subdivision (a)

1. Case Name:

- a. County v. City v. County (Parking Fines Case), Sup. Ct. No. 502123-3
- b. City v. County v. City (AB 1290), Sup. Ct. No. 545904-5
- c. County v. City v. County (CSA 48), Sup. Ct. No. 560663-7
- d. County v. City (Roeding Park II), Sup. Ct. No. 571200-5
- e. County v. City (Roeding Park III), Sup. Ct. No. 573647-5

2. Case Name: Marc Barrie v. City of Fresno

3. Case Name: Petition to file a Late Claim on behalf of Vince and Diana Sacca

4. Case Name: Noil Langley v. City of Fresno

5. Case Name: Jon Thomason v. City of Fresno

6. Case Name: 1000 Friends of Fresno v. City of Fresno, et al.

7. Case Name: Robert M. Lewis v. City, et al, USDC No. CVF 97-5166

Action Taken: Held; "A-3" (Sacca) denied

**9:00 A.M. Roll Call**

Invocation

Pledge of Allegiance to the Flag

Presentation of a Resolution to the "CHILDREN'S SERVICES NETWORK" - Council President Mathys - Read and presented

Proclamation of "LITTLE LEAGUE WEEK" - Councilmember Steitz - Laid over one week

Proclamation of "PHILIPPINE INDEPENDENCE CENTENNIAL CELEBRATION" - Councilmember Quintero - Read and presented

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of May 26, 1998

Action Taken: Approved as amended

Approve Agenda

Action Taken: Approved

Adopt Consent Calendar

Action Taken: Adopted

#### TIME SCHEDULED HEARINGS AND MATTERS

9:15 A.M. Traffic Cameras at Intersections: Direct staff to prepare Request for Proposals (RFP) for the purpose of obtaining proposals from companies for installation and operation of automated enforcement system (traffic cameras) at signal light intersections to stop motorists from running red lights and speeding - Councilmember Bredefeld

The RFP request should include:

1. All associated costs to the City
2. Resolution procedures for disputes by registered owners that were not driving at the time of citation; and
3. Addressing problem of red light runners who are not cited because they do not have front license plates

Action Taken: Presentation made; direction to staff denied

9:20 A.M. Consider report regarding traffic cameras at intersections in Anchorage, Alaska - Council President Mathys

Action Taken: Presentation made

9:30 A.M. HEARING on an appeal of Environmental Assessment No. A-98-03,

R-98-04, and C-98-88 and related hearings to consider approval of Plan Amendment No. A-98-03, Rezone Application No. 98-04, and Conditional Use Permit (CUP) No. C-98-88, filed by Cap Investors, for a 33.4 acre shopping center and a 24.16 acre ponding basin located south of Shaw Avenue between Valentine and Brawley Avenues

1. RESOLUTION - Denying the appeal of Environmental Assessment No. A-98-03/R-98-04/ C-98-88 and amending the Bullard Community Plan from industrial to community commercial and public facility ponding basin

Action Taken: Resolution No. 98-152 adopted

2. BILL - Amending the Official Zone Map to rezone from C-2/BA-20/cz, R-A, and M-1 to C-3/BA-20/cz zone district

Action Taken: Bill B-39/Ordinance No. 98-37 adopted

3. Appearance by David Bowie relating to median island access in connection with the above

Action Taken: not made

9:45 A.M. HEARING to consider an appeal to the Director's denial of Parcel Map No. 98-06, a request for a waiver filed by Westcal, Inc., to modify the conditions of approval of Vesting Tentative Tract Map No. 4432 by reducing the 30-foot building setback requirements along N. Chestnut and E. International Avenues for Lots 114, 115, 118, 119 and 120, Tract 4788 (Phase II of Vesting Tentative Tract No. 4432) located at the southwest corner of N. Chestnut and E. International Avenues

1. RESOLUTION - Approving modification to the conditions of Tract No. 4432

Action Taken: Resolution No. 98-153 adopted

10:00 A.M. - 10:15 A.M. RECESS

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED:

10:15 A.M. Proposed amendment to the Fresno City Employees Health and Welfare Trust Agreement to include: (Councilmember Quintero)

- a. Approve composition of the Board of Trustees
- b. Approve the addition of a City of Fresno retiree to the Trust; and
- c. Approve the principle of majority voting by the trustees

Action Taken: Laid over

10:30 A.M. Direct staff to prepare the necessary documentation and resolution to appropriate \$42,000 from the District 6 budget, which is one-half of the money needed, to landscape the median island on Shepherd Avenue between Friant and Fuller, as per the City's agreement with Tree Fresno - Councilmember Bredefeld

Action Taken: Approved with budget

10:35 A.M. Direct staff to prepare and process an appropriation resolution and any other enabling documents required to designate and carry over all remaining monies in the District 6 Budget on June 30, 1998, into next fiscal year's District 6 Budget, without disruption to the FY 1998-99 budget process - Councilmember Bredefeld

Action Taken: Not considered

10:40 A.M. RESOLUTION - Authorizing the issuance, sale and delivery of City of Fresno Water System Revenue Refunding Bonds, 1998 Series A, authorizing the execution and delivery of a Second Supplemental Indenture and Official Statement, and authorizing certain other actions in connection therewith

Action Taken: Resolution No. 98-154 adopted

10:45 A.M. CONTINUED HEARING to consider adoption of a resolution to vacate Merced Street between "B" Street and Highway 99, and "C" Street, the "B-C" alley and the "C-99" alley between Tuolumne and Fresno Streets - R.I. No. 1010-D (Continue to 6/30/98 at 10:45 A.M.)

Action Taken: Continued as noted

11:00 A.M. HEARING to consider Rezoning Application No. R-98-07 filed by Spruce-Adoline Joint Venture, for 2.97 acres of a 6.9 acre property located on the south side of W. Spruce Avenue between N. Fruit and N. Thorne Avenues

1. BILL - Amending the Official Zone Map from R-1/UGM/cz and R-2/UGM/cz to R-1/UGM/cz and R-2/UGM (remove condition requiring noticing of any entitlement applications in the R-2 portion only)

Action Taken: Continued to 6/30/98 at 11:00 a.m.

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED:

11:30 A.M. REGULAR MEETING WITH THE REDEVELOPMENT AGENCY

Approve minutes of May 26, 1998

Action Taken: Laid over one week

A. HEARING - on the FY 1998-99 budget of the Redevelopment Agency of the City of Fresno

1. RESOLUTION - Adopting the Annual Appropriation Resolution (AAR) for the FY 1998-99 budget of the Redevelopment Agency of the City of Fresno

Action Taken: Laid over one week

ADJOURN AGENCY

2:00 P.M. DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

2:30 P.M. CONTINUED HEARING on adoption of Fiscal Year 1998-99 Budget

1. Report from Fresno-Madera Area Agency on Aging regarding senior center proposal

Action Taken: Not made

2. Adoption of Resolutions and Ordinance relating to the Fiscal Year 1998-99 Budget:

\* A. RESOLUTION - Adopting the Annual Appropriation Resolution (AAR) approving the FY 98-99 City of Fresno Budget and Community Development Block Grant (CDBG)

Action Taken: Resolution No. 98-159 adopted

\* B. RESOLUTION - Adopting the FY 98-99 Position Authorization Resolution (PAR)

Action Taken: Resolution No. 98-160 adopted

\* C. RESOLUTION - Establishing rates for the application of City employees compensation rates and schedules and related requirements, and establishing compensation rates and schedules (FY 98-99 Salary Resolution)

Action Taken: Resolution No. 98-161 adopted

\* D. RESOLUTION - Adopting the 347th amendment to the Master Fee Schedule (MFS) Resolution No. 80-420

Action Taken: Resolution No. 98-162 adopted

\* E. BILL - (For introduction and adoption) Adopting the Property Tax Override Ordinance (PTO)

Action Taken: Bill No. B-40/Ordinance No. 98-38 adopted

F. Selection of methodology for determination of FY '99 GANN Appropriating Limit

Action Taken: Staff recommendation for method "A" approved

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED:

5:30 P.M. Consideration of alternatives to the implementation of the Herndon Avenue Bike Path along the south side of Coventry Court, a residential Planned Development located on the north side of W. Herndon Avenue between N. Pleasant and N. Marks Avenues

Action Taken: Alternatives discussed

a. Approve alternative route for bike path (North on Van Ness, West on Spruce and south on Marks) - Council President Mathys

Action Taken: Continued to 6/16/98 at 9:15 a.m.

b. Approve wall relocation, landscaping and erection of wrought iron fence for the Coventry Court bike path - Councilmember Bredefeld

Action Taken: Considered; no action taken

1A. GENERAL CONSENT CALENDAR:

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)

1. Approve appointments of Alice Saviez to the Workforce Development Board/CBO; and Mick Goodenough to the Housing and Community Development Commission - Mayor Patterson (for adoption)

Action Taken: Approved

\* 2. RESOLUTION - 99th amendment to AAR No. 97-110 appropriating \$4,400 for

City fees for the expansion of the Northwest District Police Station - Councilmember Briggs (Requires 5 affirmative votes)

Action Taken: Resolution No. 98-145 adopted

\* 3. RESOLUTION - 109th amendment to AAR No. 97-110 appropriating \$2,000 for painting and equipment at the Pinedale Community Center - Council President Mathys (Requires 5 affirmative votes)

Action Taken: Resolution No. 98-146 adopted

4. Award a contract for installation of trunk sewer system access structures

Action Taken: Awarded to W.M. Lyles Co./\$13,800

5. Award a contract to construct well site improvements at Pump Station Nos. 5A, 157, 201, 222 and 230

Action Taken: Awarded to D.H. Williams Construction/\$129,610

6. RESOLUTION - Rescinding designation of the Fort Miller Blockhouse as Historic Resource No. 28

Action Taken: Resolution No. 98-156 adopted

7. Proposed appointments of Goldie Lewis to the Historic Preservation Commission and Keith Wilcox to the Parking Authority - Mayor Patterson (for introduction)

Action Taken: Introduced - Laid over

1A. GENERAL CONSENT CALENDAR CONTINUED:

8. Approve request for a mutual termination of contract with Golden Eagle Parking and Trolley Co., LLC., to provide a downtown trolley service

Action Taken: Removed from the agenda without prejudice

9. Approval of service extension past age 63 for Fire Bureau Chief Dennis M. Rohde

Action Taken: Approved

10. Approve proposed revisions to operating procedures for 1998 Festival of Lights at Woodward Park

Action Taken: Not approved; further meetings to transpire

\* 11. RESOLUTION - 108th amendment to AAR No. 97-110 appropriating \$56,000 for increased participation in the Community Sports Program (Requires 5 affirmative votes)

Action Taken: Resolution No. 98-147 adopted

12. RESOLUTION - Providing for the issuance and sale of 1998-99 Tax and Revenue Anticipation Notes therefor

Action Taken: Resolution No. 98-148 adopted

13. RESOLUTION - Adopting an investment policy for public funds for Fiscal Year

1998-99

Action Taken: Resolution No. 98-149 adopted

14. Approve two lease agreements for the commercial portion of the Van Ness and Merced garage facility

Action Taken: Approved

15. RESOLUTION - Dedicating certain City-owned property for public street purposes, property located on the westside of Blackstone Avenue north of Nees Avenue

Action Taken: Resolution No. 98-150 adopted

16. RESOLUTION - Dedicating certain City-owned property as easement for public street purposes, property located on Chance and Rowell Avenues

Action Taken: Resolution No. 98-151 adopted

17. Approve amendments of Professional Services Agreement with DeLeuw, Cather and Company for design services on three grade separation projects:

- a. Shaw/Marks at Burlington Northern and Santa Fe (BNSF) mainline tracks
- b. Herndon Avenue and Shaw Avenue at Union Pacific (Formerly Southern Pacific) mainline tracks

Action Taken: Approved

18. Approve sale of surplus Water Well Site No. 276, located at the southwest corner of E. Atchison and S. Fowler Avenues

Action Taken: Approved

1A. GENERAL CONSENT CALENDAR CONTINUED:

19. Approve farming lease with Quist Dairy at the Regional Wastewater Reclamation Facility

Action Taken: Approved

20. Adoption of resolutions relating to Landscaping and Lighting Maintenance District No. 1

\* a. RESOLUTION - Initiating proceedings for the annual levy of assessment for Landscaping and Lighting Maintenance District No. 1 and approving the City Engineer's Report

Action Taken: Resolution No. 98-157 adopted

\* b. RESOLUTION - To levy and collect the annual assessment for Landscaping and Lighting Maintenance District No. 1

Action Taken: Resolution No. 98-158 adopted

21. Authorize an extension of the Development Agreement No. PC-1 for the Dominion Planned Community, property located on the north side of E. Shepherd Avenue between N. Friant Road and N. Cedar Avenue

Action Taken: Laid over one week

22. RESOLUTION - Approving the Final Subdivision Map of Tract No. 4781, of Vesting Tentative Tract No. 4759/UGM 578, and accepting dedicated public uses therein

a. RESOLUTION - Certifying that provisions have been made for segregation of the existing assessment to each of the new parcels being created by Tract No. 4781

Action Taken: Laid over one week

23. Adopt Resolution of Intention No. 1013-D for the vacation of Barton Avenue between Dakota Avenue and a point approximately 430 feet south of Hampton Way and Pontiac Avenue between Barton Avenue and Freeway 168 and setting the public hearing at 10:20 a.m. on June 30, 1998

Action Taken: Adopted

\* 24. RESOLUTION - 112th amendment to AAR No. 97-110 appropriating \$50,000 for the Tower District Marketing Committee's operations and special projects - Councilmember Briggs (Requires 5 affirmative votes)

Action Taken: Laid over one week

#### 1B. CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS

1. Text Amendment No. TA-97-09, proposing changes to the Fresno Municipal Code (Chapter 12) related to advertised structures

\* a. BILL - Alternative No. 1 as proposed by Advertising Industry

\* b. BILL - Alternative No. 2 as proposed by Staff

Action Taken: Laid over one week

#### 1B. CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS

\* 2. BILL - Amending Section 7-502(e), 7-512(c), 7-546(l) and adding Section 7-522(k); 7-523(g), 7-546(x) and (y) of the Fresno Municipal Code, relating to Card rooms and compliance with State Gambling Control Act

Action Taken: Bill No. B-37 introduced/laid over

\* 3. BILL - Amending subsection (g) of Section 10-1004 and adding Subsection (m) to Section 10-1004 of the Fresno Municipal Code, relating to parking on streets

Action Taken: Bill No. B-38 introduced/laid over

#### 2. PLANNING AND ZONING ADMINISTRATION

##### 3. GENERAL ADMINISTRATION

A. Discussion and direction on feasibility of establishing a staffed office for Port of Entry as relates to Fresno Yosemite International (FYI) - Councilmember Quintero

Action Taken: Direction made

\* B. BILL NO. B-35 (INTRO. 5/19/98) - Amending Chapter 6, Article 19 of the Fresno Municipal Code relating to "Tow Cars"



Action Taken: Laid over to 6/16/98 at 11:00 a.m.

#### 4. CITY ATTORNEY

#### 5. CITY COUNCIL

A. RESOLUTION - In support of retaining discount on utility services for Senior citizens  
- Councilmember Perea

Action Taken: Laid over one week

B. RESOLUTION - In support of California State University Fresno (CSUF) regarding  
the Western Athletic Conference (WAC) - Councilmember Quintero

Action Taken: Resolution No. 98-155 adopted

#### 6. CITY/COUNTY INTERGOVERNMENTAL RELATIONS

7. UNSCHEDULED ORAL COMMUNICATIONS - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

#### SCHEDULED COUNCIL HEARINGS AND MATTERS

June 16 - 9:45 A.M. Proposed amendments to Health and Welfare Trust Agreement - Councilmember Quintero

June 16 - 10:00 A.M. HEARING on City of Fresno Housing Programs and Policies as required by the settlement agreement with Family Alliance for the Mentally Ill (FAMI)

June 16 - 11:00 A.M. BILL NO. B-35 relating to Tow cars

June 16 - 4:30 P.M. HEARING on appeal of Environmental Assessment No. TA-97-09 and Text Amendment No. TA-97-09 related to advertising structures

June 23 - 11:00 A.M. HEARING on Text Amendment No. TA-97-08 related to the requirement of a conditional use permit for the sale of alcoholic beverages

June 23 - 2:00 P.M. HEARING on annexations to Community Facilities District (CFD) No. 2

June 23 - 5:30 P.M. JOINT COUNCIL/AGENCY HEARING on the proposed Fulton and South Van Ness Industrial Redevelopment Plans and amendments associated with the Merger No. 1 Project and certification of EIR No. 10124

June 30 - 10:00 A.M. HEARING on consideration of Text Amendment No. TA-98-01 relating to UGM ordinance

June 30 - 10:20 A.M. CONTINUED HEARING on the vacation of Barton Avenue between Dakota and Hampton Avenues - R.I. 1013-D

June 30 - 10:45 A.M. CONTINUED HEARING on vacation of Merced Street betw. "B" St. and Highway 99 - R.I. No. 1010-D

June 30 - 11:00 A.M. CONTINUED HEARING re: to R-98-07/Spruce-Adoline Joint Venture

July 7 - NO MEETING - COUNCIL VACATION

July 14 - NO MEETING - COUNCIL VACATION

July 21 - 9:00 A.M. Presentation of Fresno-Madera County East-West Corridor Study  
by Council of Fresno County Governments (COG)

July 21 - 10:00 A.M HEARING on assessments to property taxes relating to fees due  
to the City

July 21 - 10:30 A.M. HEARING re: Vacation of a portion of West Avenue on the  
southwest corner of West and Kearney - R.I. 1003-D

July 21 - 11:00 A.M. HEARING re: vacation of portions of Herndon Avenue Frontage  
Rd. betw. Harrison and Palm and portions of Atlanta, Boston, Hope and Ingram, north of  
Herndon Avenue -R.I. 1014-D

July 21 - 2:30 P.M. HEARING on Landscaping & Lighting Maintenance District No. 1

July 21 - 3:00 P.M. HEARING to annex final maps of Tract Nos. 4570, 4736 & 4823  
into CFD No. 2

Aug. 4 - NO MEETING - COUNCIL VACATION

Aug. 11 - NO MEETING - COUNCIL VACATION

Sept. 1 - NO MEETING - COUNCIL VACATION

Sept. 8 - NO MEETING - COUNCIL VACATION